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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,759	01/18/2002	Mark Stapp	50325-0623	6145
29989	7590	07/19/2005	EXAMINER	
HICKMAN PALERMO TRUONG & BECKER, LLP			VU, THONG H	
2055 GATEWAY PLACE			ART UNIT	
SUITE 550			PAPER NUMBER	
SAN JOSE, CA 95110			2142	

DATE MAILED: 07/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/053,759

Applicant(s)

STAPP ET AL.

Examiner

Thong H. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. Claims 1-29 are pending.
2. This application is a Continuation-in-Part of application 09/972,139 filed 10/04/2001.

Response to Arguments

Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-29 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Bullard et al [6,405,251 B1].

3. As per claim 28, Bullard discloses an apparatus for managing leased network addresses for a plurality of networks using overlapping address spaces [Bullard, DNS/DHCP mapping IP address including overlaps, col 20 lines 13-45], comprising:

a network interface that is coupled to one or more intermediate devices connected to the plurality of networks [Bullard, a DNS/DHCP connected to network, Fig 1; Intranet A-B, Fig 4]; a processor [Bullard, flow processor 60, Fig 2, col 4 lines 11-26];

one or more stored sequences of instructions which, when executed by the processor, cause the processor to carry out the steps of:

storing a plurality of banks of addresses corresponding to the plurality of networks, wherein at least one particular set of one or more network addresses (i.e.: records) is included in more than one bank of the plurality of banks [Bullard, the data collectors, NARs, col 3 lines 43-54; NAR identifier, Fig 8A-B, col 10 line 35-col 11 line 60; NAR includes a source address and destination address or banks, col 17 lines 6-30];

receiving a request for a network address for a host on a first network of the based on the qualifier [Bullard, qualifier, col 12 line 8-36;col 13 line 5-col 14 line 42], selecting a first bank of addresses from the plurality of identifying a first network address from the first bank of addresses based at least in part on the request [Bullard, IP address and qualifier can be usable as an accounting process identifier, col 13 line 64-col 14 line 11]; and

sending to the relay agent (i.e.: router) a response for the host, the response indicating the first network address and the qualifier [Bullard, a router 12a, Fig 1].

4. Claims 1,11,24-27,29 contain the similar limitations set forth in apparatus claim 28. Therefore claims 1,11,24-27,29 are rejected for the same rationale set forth in claim 28.

5. As per claims 2-4 Bullard discloses the step of storing data indicating a value for the qualifier in association with each bank of the plurality of banks [Bullard, NARs, col 8 lines 1-38]; the qualifier further includes a segment identifier of a segment of the first network [Bullard, qualifier, col 12 lines 8-36]; said step of identifying the first network address from the first bank is further based on the identifier [Bullard, qualifier with IP address, col 13 line 65-col 14 line 11].

6. As per claims 5,7 Bullard discloses the request is formatted according to a dynamic host configuration protocol (DHCP) [Bullard, a DNS/DHCP connected to network, Fig 1].

7. As per claims 6,8 Bullard discloses the qualifier is included in the request in a set of optional fields associated with the relay-agent in the DHCP [Bullard, the IP options that were seen, col 28 lines 8-26].

8. As per claim 9, Bullard discloses the request is to lease a new network address for the host [Bullard, a new IP packet, col 27 line 1]; and said step of identifying the first network address comprises selecting the first network address from a pool of available network addresses in the first bank [Bullard, the probes scans the header to determine the values of the field including IP address, col 27 lines 17-35].

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9. As per claim 10, Bullard discloses the request involves an already leased network address for the host; and said step of identifying the first network address comprises retrieving the first network address from a data structure of leased network addresses in the first bank [Bullard, DHCP server, IP address mapping and overlaps, col 20 lines 13-45].

10. Claims 12-23 contain the similar limitations set forth in apparatus claims 2-10. Therefore claims 12-23 are rejected for the same rationale set forth in claims 2-10.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thong Vu*, whose telephone number is (571)-272-3904. The examiner can normally be reached on Monday-Thursday from 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Andrew Caldwell*, can be reached at (571) 272-3868. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thong Vu
Patent Examiner
Art Unit 2142

